

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

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**FORTY-THIRD LEGISLATIVE DAY**  
**MONDAY, FEBRUARY 22, 2016**

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Siddoway, absent and formally excused by the Chair; and Senator McKenzie, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Alaire Chambers, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 22, 2016

The JUDICIARY AND RULES Committee reports that [S 1344](#), [S 1345](#), [S 1346](#), [S 1347](#), [S 1348](#), and [S 1349](#) have been correctly printed.

LODGE, Chairman

[S 1344](#) was referred to the Resources and Environment Committee.

[S 1345](#) and [S 1346](#) were referred to the Commerce and Human Resources Committee.

[S 1347](#) and [S 1348](#) were referred to the Local Government and Taxation Committee.

[S 1349](#) was referred to the State Affairs Committee.

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1206](#), [S 1207](#), [S 1197](#), [S 1216](#), [S 1217](#), [S 1210](#), [S 1233](#), [S 1215](#), and [S 1213](#) were delivered to the Office of the Governor at 11:40 a.m., February 19, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 19, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 133](#) was delivered to the Office of the Secretary of State at 11:41 a.m., February 19, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 19, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1237](#), [S 1238](#), [S 1239](#), [S 1339](#), and [S 1340](#) were filed for second reading.

February 19, 2016

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Chris Charles Beck to the Oil and Gas Commission, term to expire July 1, 2019.

BAIR, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

February 19, 2016

Dear Mr. President:

I transmit herewith [H 461](#) and [H 463](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 461](#) and [H 463](#) were filed for first reading.

February 19, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 446](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 446](#) and ordered it returned to the House.

February 19, 2016

Dear Mr. President:

I return herewith Enrolled [SCR 132](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 132](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Joe B. McNeal was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Brackett, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Joe B. McNeal as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of William Dale Crawford was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Stennett, the Gubernatorial appointment of William Dale Crawford as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial reappointment of Terry Gestrin was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

On motion by Senator Thayn, seconded by Senator Burgoyne, the Gubernatorial reappointment of Terry Gestrin as a member of the State Insurance Fund Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Transportation Committee report relative to the Gubernatorial reappointment of Daniel Scott was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Burgoyne, the Gubernatorial reappointment of Daniel Scott as a member of the Aeronautics Advisory Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the

Secretary, to be transmitted to the Governor informing him of the action of the Senate.

Senator McKenzie was recorded present at this order of business.

The President announced that the Education Committee report relative to the Gubernatorial reappointment of Emma Lou Atchley was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Mortimer, seconded by Senator Ward-Engelking, the Gubernatorial reappointment of Emma Lou Atchley as a member of the State Board of Education was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that [SCR 145](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that [SCR 145](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President declared [SCR 145](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President announced that [SCR 146](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Hagedorn, seconded by Senator Buckner-Webb, [SCR 146](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President announced that [HCR 31](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator Ward-Engelking, [HCR 31](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [HCR 42](#) retained its place on the calendar for Thursday, February 25, 2016.

The Senate advanced to the Eleventh Order of Business.

### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

[H 461](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 463](#), by Business Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### **Second Reading of Bills**

[H 431](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### **Third Reading of Bills**

[S 1248](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senators Lakey and Thayn disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Keough, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Souza, Thayn, Vick, Winder. Total - 22.

NAYS—Anthon, Buckner-Webb, Burgoyne, Davis, Harris, Johnson, Jordan, Lacey, Lee, Schmidt, Siddoway, Stennett, Ward-Engelking. Total - 13.

Total - 35.

Whereupon the President declared [S 1248](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [S 1262](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1265](#) retained its place on the Third Reading Calendar for Wednesday, February 24, 2016.

[S 1231](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Buckner-Webb, Burgoyne, Davis, Guthrie, Hagedorn, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Rice, Schmidt, Stennett, Ward-Engelking, Winder. Total - 23.

NAYS—Anthon, Bayer, Den Hartog, Harris, Mortimer, Nonini, Nuxoll, Patrick, Siddoway, Souza, Thayn, Vick. Total - 12.

Total - 35.

Whereupon the President declared [S 1231](#) passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Fourteenth Order of Business.

### **General Calendar**

On request by Senator Davis, granted by unanimous consent, [S 1224](#) was returned to the third reading calendar.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

### **Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, [S 1224](#) was placed at the head of the Third Reading Calendar, followed by Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Tuesday, February 23, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary